

## CITY OF LYNN

### Regular City Council Meeting – January 26, 2016 Council President Daniel F. Cahill, Presiding

**Eleven Councillors Present**

**Moment of Silence. Councilor Barton asked that the Martell Family be remembered.  
Pledge of Allegiance**

**Motion made by Councilor Capano and seconded by Councilor Hong to accept the Meeting Minutes of January 12, 2016.  
Motion carried.**

### **PUBLIC HEARINGS TO BE SET DOWN:**

-Petition of Century Bank, Barbo Signs, for permission for a sign permit at 2 State Street.

-A & J Auto Repair II, Abdeljalil Aitelhadji, for permission for a change of use, Auto Repair at 860 Western Avenue.

-Petition of Comcast, Timothy Broderick, for permission to intercept existing conduit on South Common Street at Shepard Street & place new vault/manhole from new vault/manhole place (1) 4" pvc conduit 200' +/- in an easterly direction to property of 104 South Common Street.

-Petition of Cellco Partnership d/b/a Verizon Wireless, Daniel Klasnick, Esq. for permission to attach, maintain and operate small cell communications equipment on existing utility poles located within the city right of way near the following locations: 99 Essex Street, 92 Franklin Street, Fecteau Way, 235 O'Callaghan Way, 85-91 Harbor Street, 68 Sylvia Street, 3 Wardwell Avenue and 68 Western Avenue.

**Motion made by Councilor Colucci and seconded by Councilor Barton to set down for Public Hearings.  
Motion carried.**

### **UNFINISHED BUSINESS:**

**Motion made by Councilor Chakoutis and seconded by Councilor Trahan to remove from the TABLE the petition of VN Market, Dinora Miranda, for permission for a sign permit at 207 Washington Street.**

**Motion carried by the following yea and nay vote:  
11 YES 0 NO**

**Motion made by Councilor Chakoutis and seconded by Councilor Cyr to grant the prayer of the Petitioner.**

**Motion carried by the following yea and nay vote:**

**11 YES 0 NO**

## **COMMITTEE REPORTS:**

### **Report of the January 26, 2016 Committee on Education and Environmental Affairs recommending the following:**

1. Discussion re: Update on Pickering Junior High School  
ISD Director Michael Donovan gave an update on the status and progress of the new Pickering Junior High School.

2. OTHER BUSINESS  
**REPORT ACCEPTED.**

### **Report of the January 26, 2016 Committee on Ordinance and Rules recommending the following:**

Set down proposed Ordinance Regulating the Procurement of Electrical Supply Services in the City of Lynn for a Public Hearing on February 9, 2016. – **Granted**

Set down for Public Hearing an Ordinance Amending a Portion of the Zone Map of the City of Lynn and Zone Ordinance of the City of Lynn. – **Granted**  
**REPORT ACCEPTED.**

### **Report of the January 26, 2016 Committee on Ways and Means Committee recommending the following:**

Ordered that the City Comptroller take the following actions:

Transfer the sum of One Million One Hundred Thirty Three Thousand Three Hundred Fifty Six Dollars and Ten Cents (\$1,133,356.10) from the MSBA Expense Outside Professional Account to the TBD Lynn Public Schools.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial transfer in the amount of One Million One Hundred Thirty Three Thousand Three Hundred Fifty Six Dollars and Ten Cents (\$1,133,356.10) from the MSBA Expense Outside Professional Account to the TBD Lynn Public Schools.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

Appropriate from Free Cash, the sum of Six Hundred Thirty Three Thousand Dollars and Zero Cents (\$633,000.00) to 11935 TBD.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial transfer to Appropriate from Free Cash, the sum of Six Hundred Thirty Three Thousand Dollars and Zero Cents (\$633,000.00) to 11935 TBD.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

Appropriate the sum of Five Hundred Sixty Seven Thousand Dollars and Zero Cents (\$567,000.00) to the Lynn Public Schools, Account TBD.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial transfer to Appropriate the sum of Five Hundred Sixty Seven Thousand Dollars and Zero Cents (\$567,000.00) to the Lynn Public Schools, Account TBD.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

Appropriate the sum of One Million Six Hundred Thousand Dollars and Zero Cents (\$1,600,000.00) to 11935/TBD.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial transfer to Appropriate the sum of One Million Six Hundred Thousand Dollars and Zero Cents (\$1,600,000.00) to 11935/TBD.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

Transfer the sum of Two Thousand Dollars and Zero Cents (\$2,000.00) from the Reserve Fund to the License Commission Expense Account.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial transfer in the amount of Two Thousand Dollars and Zero Cents (\$2,000.00) from the Reserve Fund to the License Commission Expense Account.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

Transfer the sum of Three Thousand Eight Hundred Fifty Five Dollars and Seventy Six Cents (\$3,855.76) from the Veterans Expense Account to the Bills of Prior Year.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial transfer in the amount of Three Thousand Eight Hundred Fifty Five Dollars and Seventy Six Cents (\$3,855.76) from the Veterans Expense Account to the Bills of Prior Year.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

Transfer the sum of One Thousand Six Hundred Dollars and Twenty Five Cents (\$1,600.25) from City Clerk Expense to Bills of Prior Year.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial transfer in the amount of One Thousand Six Hundred Dollars and Twenty Five Cents (\$1,600.25) from City Clerk Expense to Bills of Prior Year.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

Certify as an Available Fund the amount of Nine Thousand Four Hundred Sixty Nine Dollars and Eighty Five Cents (\$9,469.85) as allotted to the City of Lynn Police/Fire Departments by the Department of Public Health to supply and administer Narcan to fight the heroin epidemic for Public Entities.

**Councillor Net attached the following Emergency Preamble:**

**WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.**

**WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of Nine Thousand Four Hundred Sixty Nine Dollars and Eighty Five Cents (\$9,469.85) as allotted to the City of Lynn Police/Fire Departments by the Department of Public Health to supply and administer Narcan to fight the heroin epidemic for Public Entities.**

**THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.**

**Emergency Preamble was adopted by the following yea and nay vote:**

**11 YES 0 NO**

**Emergency Order was then adopted by the following yea and nay vote:**

**11 YES 0 NO**

**REPORT ACCEPTED.**

**Report of the January 26, 2016 Committee on Public Safety and Public Health recommending the following:**

**Constable Appointment:**

**Christopher Chigas, 5 Tammie Lane, Peabody - Granted**

Recommends that the Mayor and City Council approve Article 97 Legislative Authorization authorizing the City and Lynn Water and Sewer Commission to grant a Conservation Restriction (CR) over Lynn Woods to Greenbelt and the Department of Conservation and Recreation. - **Tabled**

Recommends that the Mayor and City Council approve, in concept, the granting of a Conservation Restriction on Lynn Woods to the Department of Conservation and Recreation and Greenbelt, and to authorize designated city staff and/or Commission members to proceed with working with the Department of Conservation and Recreation and Greenbelt on the Conservation Restriction Drafting Process. – **Tabled**  
**REPORT ACCEPTED.**

**Report of the January 26, 2016 Committee on Licensing recommending the following to be accepted:**

**TAXI OPERATORS (NEW)**

Alouidor, Jethro, 20 Houston St.- **Granted**

Gonzalez, Adriana, 93 Glennwood St.-See CORI.- **Granted**

Holguin-Gonzalez, Juan, 26 Hardwood St. #9 – **Tabled**- No Show (**called – does not want license**)

Nova, Feliz-**Tabled**- No Show- **DENIED**

Rahman, Saidur, 49 Henry Ave. #31 - **Tabled**

Schmitt, Christopher D. 191 N. Common St. .- **Granted**

**LIVERY OPERATOR (NEW)**

Papagikos, Mrc, 53 Whiting St. Tabled- No Show.- **DENIED**

Pegoraro, Joseph, 210 Lincoln St., Revere, MA - **Tabled**

**OLD GOLD & SILVER RENEWAL**

800-810 Lynnway, Universal Jewelers- **Granted**

810 Lynnway, Cubano Salvadoreno- **Granted**

**SECOND-HAND ARTICLE-RENEWAL**

582 Chestnut St., Heart & Soul Boutique- **Granted**

810 Lynnway, Cubano Salvadoreno- **Granted**

857 Western Ave., Phnom Penh Jewelry - **Granted**

**CLASS I AUTO DLR/AUTO REP/FLAM –CHANGE OF NAME OF BUSINESS**

671 Lynnway – Atlantic Toyota Group, Inc. dba Atlantic Scion- **Granted**

*\*Changing name to ATG Sales, Inc. dba Atlantic Toyota dba Atlantic Scion*

**AUTO REPAIR/FLAMMABLE LICENSE – NEW**

307 Eastern Ave. – Sit-N-Fill- **Granted with standard stipulations on file.**

**CANNING**

Knights of Columbus – Tootsie Roll Drive (Adults Only) – October 7, 8, 9, 10, 2016- **Granted**

Item Santa's /Salvation Army Santa's Island (Adults Only) – Month of December 2016- **Granted**

Pine Hill Little League (Adults Only) – May 5, 6, 7, 2016- **Granted**

**OTHER BUSINESS:**

**REPORT ACCEPTED.**

**NEW BUSINESS:**

**Motion made by Councilor Capano and seconded by Councilor Trahan to set down for a Public Hearing the demolition of 17 South Street Court.**

**Councilor Trahan commended DPW Commissioner Andy Hall and members of the Public Works Sub-Committee/Task Force for their quick response to the recent snow storm. Councilor Trahan stated that the DPW was fully operational by 10:00 p.m., and that the larger trucks recommended by the Public Works Sub-Committee did a great job.**

**Motion made by Councillor Colucci and seconded by Councillor Walsh to adjourn.**

**Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.**

**A True Copy Attest:**

**CITY CLERK**